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TO RUEHC/SECSTATE WASHDC PRIORITY 3417
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RUEHBR/AMEMBASSY BRASILIA 7954
RUEHBU/AMEMBASSY BUENOS AIRES 5203
RUEHCV/AMEMBASSY CARACAS 2432
RUEHPE/AMEMBASSY LIMA 2559
RUEHMD/AMEMBASSY MADRID 3440
RUEHMN/AMEMBASSY MONTEVIDEO 4571
RUEHQT/AMEMBASSY QUITO 5072
RUEHSG/AMEMBASSY SANTIAGO 9655
RHMFISS/HQ USSOUTHCOM MIAMI FL
RUMIAAA/USCINCSO MIAMI FL
RUEHUB/USINT HAVANA 0287
RHEHNSC/NSC WASHINGTON DC
RUCPDO/DEPT OF COMMERCE WASHINGTON DC
RUEATRS/DEPT OF TREASURY WASHINGTON DC

C O N F I D E N T I A L LA PAZ 001203

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E.O. 12958: DECL: 04/30/2017
TAGS: [EAGR](#) [ECON](#) [ETRD](#) [KIPR](#) [TBIO](#) [BL](#)
SUBJECT: SPECIAL 301 DEMARCHE DELIVERED; VICE MINISTER
DISCUSSES TRADE

REF: A. STATE 56067
[1](#)B. LA PAZ 1113

Classified By: Ecopol Counselor Andrew Erickson for reason 1.4 (b), (d)
, and (e).

Summary

[1](#)1. (C) Emboff delivered ref A demarche to Vice Minister of Trade Rabczuk and to the National Service of Intellectual Property (SENAPI) on April 27. SENAPI representatives expressed interest in the recommendations and noted that they had proposed changes to update the 1992 copyright law, which are pending consideration by congress. Rabczuk explained that he had been instructed to steer clear of IPR discussions in relation to potential trade agreements due to the issue of pharmaceuticals access. Rabczuk added that he was frustrated by Venezuelan trade barriers, being forced to defend the fruitless People's Trade Agreement, and the administration's trade discussions with Iran. He said he supported a long-term trade agreement with the U.S. that would not harm Bolivia's poor campesinos. End summary.

SENAPI Wants to Improve

[1](#)2. (SBU) Emboff delivered ref A demarche to Vice Minister of Trade Pablo Rabczuk and to the National Service of Intellectual Property (SENAPI) on April 27. SENAPI expressed interest in the recommendations made in the Special 301 report, and requested information on U.S. copyright law and the prosecution of piracy cases in the U.S., as well as U.S.-supported training on patent cases. SENAPI's legal director noted that SENAPI had proposed legal changes to update Bolivia's 1992 copyright law and that such changes are

pending consideration by congress. He added that some staff had been changed one year ago and had received training, but were still lacking in some areas, particularly patents.

IPR is Off the Trade Agenda

¶3. (C) Vice Minister of Trade Pablo Rabczuk noted the recommendations from the demarche, while lamenting the lack of a legal adviser or IPR expert in his ministry. He explained that, because of the divisive issue of pharmaceuticals, he had been instructed to not discuss IPR issues at all in relation to potential trade agreements.

Vice Minister Frustrated by Venezuela

¶4. (C) Rabczuk said that he was frustrated by the non-tariff trade barriers imposed by Venezuela on Bolivian goods and by having to publicly defend the People's Trade Agreement (TCP) with Venezuela and Cuba which had produced no trade benefits for Bolivia. He added that he is suspicious of Venezuela's motives, but believes that Cuba truly wants to help. He argued that trading with Iran and North Korea (ref B) does not make sense and that Bolivia should focus on its South American neighbors. He explained that he was asked to travel to Iran to negotiate a trade deal, but had suggested to his superiors that they send someone else, as he is responsible for working with the U.S. and pushing for an extension of ATPDEA (Andean Trade Promotion and Drug Eradication Act) trade benefits. (Note: Vice Minister of Agriculture

Escalante told Emboff on April 26 that no organic soy trade agreement had been reached with Iran or North Korea, because Bolivia did not have the capacity to supply the amounts demanded by these countries. End note.)

VM Supports a Trade Agreement that Protects the Poor

¶5. (C) Rabczuk lamented the difficult position in which he is routinely placed when the GOB insults the U.S. at the same time he is requesting an extension of trade benefits. He agreed that Bolivia should work towards a long-term trade agreement with the U.S., but argued that it should be crafted so as to protect Bolivia's small farmers and majority impoverished population.

VM's Bio-data

¶6. (C) Pablo Rabczuk, formerly vice minister of transportation, was born in Texas and holds dual U.S.-Bolivian citizenship. He grew up in Santa Cruz, Bolivia and attended university in Boca Raton, Florida. He speaks English fluently.

Comment

¶7. (C) SENAPI's desire to engage with us is a positive sign, but unfortunately, the institution is weak, and higher levels of the Morales administration are opposed to discussing IPR due to the issue of pharmaceuticals access. End comment.

GOLDBERG